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Melody A. Jones
Name of Attorney

44,175
Registration No.

Melody A. Jones
Signature of Attorney

P&G Case 8003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
DAVID ALLEN SCHUL, ET AL. :
Serial No.: 09/812,532 : Group Art Unit: 1617
Confirmation No.: 2563 : Examiner: Jiang, S.
Filed: March 20, 2001 :
For: STEROL ESTER COMPOSITIONS :

TECH CENTER 1600/2800
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RESPONSE TO OFFICE ACTION DATED 10/10/01

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated 10/10/01 in the above-identified patent application. The Examiner is respectfully requested to reconsider the application in view of the following remarks. Applicants hereby traverse the restriction requirement made by the Examiner and provisionally elect claims 13-37, 41, and 54-56 (Group II), drawn to food products, for examination in the present application. Applicants reserve the right to file a petition from requirement for restriction pursuant to 37 C.F.R. 1.144.

REMARKS

Claims 1-56 are pending in the case. The Examiner requires restriction under 35 U.S.C. 121 to one of four groups of claims identified as follows:

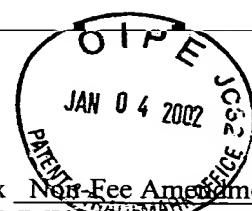
Group I. Claims 1-12, 38-40, and 51-53, drawn to a sterol composition, classified in class 514, subclasses 169, 170, and 178.

Group II. Claims 13-37, 41, and 54-56, drawn to food products, classified in class 514, subclasses 169, 170, and 178.

Group III. Claims 42-49, drawn to methods for the preparation of sterol ester compositions, classified in class 514, subclasses 169, 170, and 178.

Group IV. Claim 50, drawn to methods for the preparation of food products, classified in class 514, subclasses 169, 170, and 178.

*different
method*



IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Case Docket No. 8003

Box Non-Fee Amendment
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a RESPONSE for the patent application:

Inventor(s): David Allen Schul, et al. Confirmation No. 2563

Serial No.: 09/812,532 Group Art Unit: 1617

Date Filed: March 20, 2001 Examiner: Jiang, S.

Title: STEROL ESTER COMPOSITIONS

1. No additional fee is known to be required.
2. The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEES
TOTAL	*	MINUS	**	=	x \$18 =	\$
INDEP.	*	MINUS	***	=	x \$80 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$
					TOTAL	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. Any patent application processing fees under 37 CFR §1.16.
 - b. Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Melody A. Jones
Melody A. Jones
Attorney for Applicants
Registration No. 44,175
Tel. No. (513) 634-6944

Date: November 12, 2001
Customer No. 27752

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Melody A. Jones 44,175
Name of Attorney/Agent Registration No.
Melody A. Jones
Signature of Attorney or Agent